

REMARKS

This application has been reviewed in light of the Office Action dated February 2, 2004. Claims 1-9, 11-16, 18-25, 27 and 28 are presented for examination. Claims 10, 17, 26 and 29-35 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claim 1 has been amended to define more clearly what Applicant regards as his invention and Claims 5-9, 18, 20-25 and 27 have been amended to correct informalities and claim dependencies (Claims 18 and 27) unrelated to patentability. Claim 19 has been amended to be placed in independent form. Both Claims 1 and 19 are independent. Favorable reconsideration is requested.

On page 6 of the Office Action, the Examiner commented that Claims 19-22 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicant has amended Claim 19 to incorporate the features of former Claim 19/18/17/1, to place the claim in independent form. Accordingly, Claim 19 and Claims 20-22 which depend from Claim 19, are believed to be patentable.

Claim 35 was rejected under 35 U.S.C. §112, second paragraph. The cancellation of Claim 35 renders this rejection moot.

Claims 1-13, 15-18, 23, 24, and 26-32 were rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,419,539 (*Tamura et al.*), and Claims 14, 25 and 34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Tamura et al.* in view of U.S. Patent No. 5,785,569 (*Stansbury et al.*). Also, Claim 33 has been rejected under 35 U.S.C. §103(a) as being unpatentable over *Tamura et al.*

Initially, cancellation of Claims 10, 17, 26 and 29-33 renders their rejection moot.

As amended, Claim 1 is directed to a method of fabricating an image display apparatus comprising the steps of fixing a first sealing member to a first substrate disposed with an electroconductive member, the first sealing member surrounding the electroconductive member except for a portion of the electroconductive member; abutting a chamber having a gas inlet port and a gas exhaust port on the first sealing member to cover the electroconductive member except for the portion of the electroconductive member and form a hermetically sealed atmosphere between the first substrate and the chamber; supplying power to the portion of the electroconductive member to give part of the electroconductive member covered with the chamber an electron-emitting function; removing the chamber from the first substrate; and bonding the first substrate with the second substrate on which an image forming member is disposed, wherein the bonding is performed on the first sealing member fixed to the first substrate.

Among the notable features of Claim 1 are the steps of (i) abutting a chamber having a gas inlet port and a gas exhaust port on the first sealing member to cover the electroconductive member except for the portion of the electroconductive member, (ii) removing the chamber from the first substrate, and (iii) bonding the first substrate with the second substrate on which an image forming member is disposed, wherein the bonding is performed on the first sealing member fixed to the first substrate. Thus, both the abutting

and bonding are performed on the first sealing member. Between those two steps, the step of removing the chamber from the first substrate is performed.

Tamura et al. relates to a method of manufacturing an electron-emitting device. The method includes a process for forming a pair of electric conductors spaced from each other on a substrate, and an activation process for forming a film of carbon or a carbon compound on at least one of the pair of electric conductors. The activation process is sequentially performed within plural containers having different atmospheres.

In Fig. 7 of *Tamura et al.*, which is assigned in common with the present application, an image forming apparatus is disclosed that includes an electron source substrate 61 on which a plurality of electron-emitting devices are mounted. The electron source substrate 61 is fixed to a rear plate 71. A face plate 76 also is provided, having a fluorescent film 74 and a metal back 75, formed on the inner surface of a glass substrate 73. The rear plate 71, face plate 76, and a supporting frame 72 are coated with frit glass, and sealed by burning in an atmosphere for about 10 minutes or more, forming envelope 78.

Although well suited for its intended purpose, nothing in *Tamura et al.* would teach or suggest the steps of (i) abutting a chamber having a gas inlet port and a gas exhaust port on the first sealing member to cover the electroconductive member except for the portion of the electroconductive member, (ii) removing the chamber from the first substrate, and (iii) bonding the first substrate with the second substrate on which an image forming member is disposed, wherein the bonding is performed on the first sealing member

fixed to the first substrate, as set forth in Claim 1. Accordingly, Claim 1 is believed patentable over *Tamura et al.*

The other claims in this application are each dependent from Claim 1 discussed above and are therefore believed patentable for the same reasons. Since each of these dependent claims is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

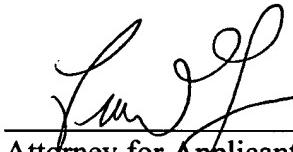
REQUEST FOR CONSIDERATION OF PREVIOUSLY CITED ART

Applicant states that an Information Disclosure Statement was filed on May 13, 2002 and a Supplemental Information Disclosure Statement was filed on July 22, 2002, as evidenced by the returned receipt postcards bearing the stamp of the Patent and Trademark Office. A copy of each stamped returned receipt postcard is attached hereto, along with a print-out from the Patent and Trademark Office PAIR System for this application, indicating that Information Disclosure Statements were filed in May and July 2002. It is assumed that the Examiner will make the information cited therein of record in due course, and return an initialed copy of each of the forms PTO-1449 that were submitted, as confirmation thereof. While no fee is believed to be required in connection with this submission, any fee deemed required should be charged to Deposit Account 06-

1205. For the Examiner's convenience, a copy of the Information Disclosure Statement and the Supplemental Information Disclosure Statement are enclosed without the cited references. If the Examiner needs further copies of any of the cited references, the Examiner is asked to contact Applicant's undersigned attorney.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicant
Registration No. 42496

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 430992v1